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NUMBER OF PAGES (Including cover): 9

Please file the attached **SECOND AMENDMENT AFTER FINAL REJECTION** for the following:

APPLICANT : JILKA, et al.
SERIAL NO : 10/086,062
FILED : February 28, 2002
TITLE : NOVEL PLANT PROMOTER SEQUENCES AND
METHODS OF USE FOR SAME

Grp./A.U. : 1635
Examiner : Epps Ford, Janet L.
Conf. No. : 3714
Docket No. : P04532US1

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SECOND AMENDMENT AFTER FINAL REJECTION

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Commissioner for Patents
P.O. Box 1450
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Sir:

In response to the Final Rejection dated February 17, 2005, Applicants hereby respectfully request that the following Amendment After Final be considered and made of record. The Amendment cancels all but allowed claims 44 and 45 and therefore should result in allowance of the case.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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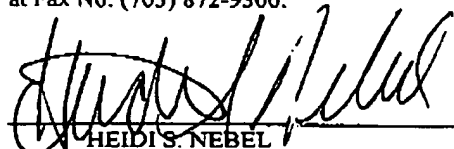
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HEIDI S. NEBEL